

EXHIBIT A

Danielson, Miguel C

From: CAITLIN LHOMMEDIEU [CLHOMMEDIEU@gbpatent.com]
Sent: Tuesday, January 03, 2006 1:48 PM
To: Fernands, Anastasia M
Subject: RE: BIS v. Red Bend (our ref no J333802)

Dear Anastasia:

Perhaps you misunderstood my previous e-mail, which was intended simply to memorialize our understanding that BIS and Red Bend would not be serving expert reports today. We did not and do not agree to jointly seek an extension of the due date for serving expert reports. It is our position that when BIS filed its motion to dismiss including a covenant not to sue, the case was over, and thus there is no need to serve expert reports. As it appears that Red Bend does not agree that the case is over, Red Bend's failure to serve an expert report is done so at its own peril.

Very truly yours,

Caitlin Lhommedieu
Greenblum & Bernstein
703-716-1191 (phone)
703-716-1180 (fax)
www.gbpatent.com

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From: Fernands, Anastasia M [mailto:AFernands@goodwinprocter.com]
Sent: Tuesday, January 03, 2006 1:03 PM
To: CAITLIN LHOMMEDIEU
Cc: Horwitz, Ethan
Subject: RE: BIS v. Red Bend (our ref no J333802)

Dear Caitlin:

Thank you for your e-mail confirming your understanding that expert reports will not be exchanged today. To avoid any future confusion, please also confirm your agreement that the parties will jointly seek an extension of the deadline for serving expert reports if the Court denies any portion of BIS's pending motion to dismiss.

I look forward to hearing from you.

Anastasia M. Fernands

1/3/2006

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599 Lexington Avenue
New York, New York 10022
Tel: (212) 459-7321
Fax: (212) 355-3333

-----Original Message-----

From: CAITLIN LHOMMEDIEU [mailto:CLHOMMEDIEU@gbpatent.com]
Sent: Tuesday, January 03, 2006 11:23 AM
To: Fernands, Anastasia M
Cc: sm@gtmllp.com; ASHWIN SAPRA
Subject: BIS v. Red Bend (our ref no J333802)

Dear Anastasia:

This is e-mail is to confirm our understanding that neither BIS nor Red Bend will be serving expert reports in the above-referenced litigation today.

Happy new year,

Caitlin Lhommedieu
Greenblum & Bernstein
703-716-1191 (phone)
703-716-1180 (fax)
www.gbpatent.com

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